

**4145. Adulteration and misbranding of bran. U. S. \* \* \* v. 400 Sacks of Bran, more or less. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 6167. I. S. No. 81-k. S. No. E-172.)**

On December 11, 1914, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 sacks of bran, more or less, remaining unsold in the original unbroken packages, at Hagerstown, Md., alleging that the product had been shipped and transported from the State of Pennsylvania into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Morris City Mills Bran Crude Protein 15.7% Crude Fat 4.4% S. Stewart, Morris, Minn."

Adulteration of the article was alleged in the libel for the reason that it contained a total of 5.2 per cent foreign material, to wit, a mixture of chaff and screenings which had been mixed with and substituted for bran.

Misbranding was alleged for the reason that the label contained the word "Bran," when, in truth and in fact, the product contained a material percentage of screenings and other foreign materials which were not declared upon the label.

On January 9, 1915, the Morris City Mills, S. Stewart, proprietor, Morris, Minn., claimant, having filed his answer, and the court having considered the same with the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$800, in conformity with section 10 of the act, one of the conditions being that the product should be properly rebranded.

CARL VROOMAN, *Acting Secretary of Agriculture.*